



JFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masatoshi YONEKUBO et al.

Group Art Unit: 3653

Application No.: 10/694,987

Examiner: T. Morrison

Filed: October 30, 2003

Docket No.: 117367

For: DISPLAY ELEMENT, DISPLAY PANEL, AND DISPLAY APPARATUS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

In reply to the December 30, 2004 Election of Species Requirement, Applicants provisionally elect Species I, Figure 2, with traverse. At least claims 1-5, 10-13 and 15 read on this species. Claims 1, 2 and 5 are generic to all species.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

John S. Kern
Registration No. 42,719

JAO:JSK/kap

Date: January 26, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--